



COMMITTEE CONFERENCE CALL REPORT

October 2021

NATIVE AMERICAN AFFAIRS COMMITTEE CALL SUMMARY

Chairman Reno Franklin convened the call on October 5, 2021.

America the Beautiful Initiative

Chairman Franklin urged staff to consider whether the ACHP may need to conduct tribal consultation regarding this initiative, since the Council on Environmental Quality (CEQ) has announced its intent to consult with tribes. He suggested CEQ be invited to the next committee meeting in December and noted this topic will continue to be discussed in the committee. Reid Nelson explained that he and Dru Null will reach out to CEQ to determine whether the ACHP might participate on a subcommittee under this initiative.

National Association of Tribal Historic Preservation Officers' Sacred Sites Summit

Valerie Grussing (NATHPO) provided a general overview of the topics addressed at the summit and mentioned notable speakers. She thanked Mr. Franklin, Ira Matt, and Jaime Loichinger for their participation. Dr. Grussing explained that the goal of summit was to push the envelope for tribal place protection and highlight a framework, since one does not exist. NATHPO is looking to tee up action items. Several meetings stemming from the sessions are already planned to advance such actions.

National Conference of State Historic Preservation Officers' National Register Listening Sessions

Erik Hein (NCSHPO) explained that NCSHPO has been hosting listening sessions regarding National Register designations and has convened a National Historic Designation Advisory Committee.

Some recurring themes have been identified by NCSHPO membership:

- Potential need for enhancing the National Register
- Integrity can be a barrier to listing certain types of properties
- Challenges with listing large landscapes

NCSHPO members wanted to discuss whether changes are warranted, what they might look like, and whether additional programs may be necessary to list properties.

This effort is led by a committee comprised of four subcommittees: 1) Policy; 2) Best Practices; 3) Scholarship and Data; and 4) External Affairs. The External Affairs Committee has been hosting listening sessions with outside entities (NPS, ACHP, NATHPO, Latinos in Heritage Conservation, etc.) to gain insight. On October 6, there was a meeting with NATHPO's board, recognizing that Tribal Historic Preservation Officers have a specific, defined role and warrant an extra effort.

The goal is to produce a series of white papers and recommendations, hopefully by March, to be available around the time of NCSHPO's annual meeting. Some subsequent questions have arisen including the following: what is the path forward? Should there be legislation or regulations? Should NCSHPO submit

a letter with recommendations to the National Park Service (NPS)? Once the papers are made public, NCSHPO will offer additional conversation and input for its committee to consider.

Chairman Franklin noted that in tribal meetings, there has been discussion about a potential fifth National Register criterion or a criterion E, and dropping criteria A-D down the list and putting this tribal criterion at the top. He expressed his willingness to meet with NCSHPO to discuss this further.

Mr. Nelson noted that he and Vice Chairman Jordan Tannenbaum participated in a listening session and mentioned the ACHP chairman-nominee's interest in this topic. Mr. Nelson also gave an update on Professor Sara Bronin's confirmation process.

ACHP Tribal and NHO Climate Resilience Plan

Valerie Hauser explained that the plan was revised based on member comments during the last committee meeting and is now more clearly meant to address both emergency response and resiliency. The plan will be submitted to the new ACHP task force to be integrated into the ACHP's overall climate work. She noted that the plan is an evolving document, and updates will be provided to the committee as needed. Implementation by the Offices of Native American Affairs and Federal Agency Programs will begin soon in order to advance the Administration's climate goals.

Potential Issues and Discussion Items for Business Meeting

Chairman Franklin noted the ACHP's Strategic Plan will be updated with new goals and objectives after the confirmation of the new chairman. The committee has been asked to review the current plan and consider potential revisions.

He went on to discuss fire suppression and the use of fire shelters to wrap tribal sites including structures and trees. Shasta Gaughen commented on the Institute for Tribal Environmental Professionals' Climate Change Report and noted the section on cultural resources she co-authored. The report can be found at <https://sites.google.com/view/stacc2021-itep/home>. Dr. Grussing announced NATHPO's annual meeting will be January 24, 2022, and will be virtual. Themes, timing, and calls for presentations are still being developed.

FEDERAL AGENCY PROGRAMS COMMITTEE CALL SUMMARY

Committee Chairman Jay Vogt called the meeting to order on October 5, welcomed participants, and reviewed the agenda. He called on Mr. Nelson to provide updates on staffing and recruitment. Mr. Nelson announced Chris Koeppe as the new assistant director for the Federal Property Management Section. He also announced the transition of Rachael Mangum from the Army liaison to a program analyst within the Federal Permitting, Licensing, and Assistance Section; Raina Regan will be joining the ACHP in early November as the newest NPS liaison for grant programs.

Strategic Planning

In anticipation of the new ACHP chairman coming on board, Chairman Vogt and Mr. Nelson discussed the need to re-evaluate the goals in the ACHP's Strategic Plan. Under the two pillars of the plan most germane to the Federal Agency Programs Committee, the goals are: (1) foster the preservation of historic properties through effective review of federal undertakings; and (2) promote federal agency programs. Vice Chairman Tannenbaum questioned why so few agencies have chosen to develop alternate procedures as a program alternative. Mr. Nelson offered his observation that anecdotally, developing those procedures was a significant investment of effort and resources, but he can see their utility for other agencies. He suggested that a review of the types of alternatives would be useful, to have a broad understanding of how various alternatives are used, and what agencies are using them.

Ramona Bartos (NCSHPO) noted a need to balance the process with the outcome, and that in looking at this plan, there is a lot about helping agencies but limited discussion of the public and their involvement in preservation. Mr. Nelson replied that it was a good point, and the ACHP should be thinking more broadly about with whom and how it engages. He suggested that ACHP staff walk the committee through these two pillars and come up with high level notes of specific revisions during December's committee meeting.

Vice Chairman Tannenbaum shared his concern regarding the potentially significant increase in infrastructure funding. While the strategic plan should deal with a lot of different situations, the infrastructure initiatives will put a lot of pressure on the Section 106 process. There is a need to educate stakeholders and the public about the effectiveness and applicability of Section 106.

John Frey brought up the Preserve America program, which has not been funded in some time, noting it would be useful to have that revitalized even if no funding was associated with it. The program could serve so many purposes and could be successful as a stand-alone program, separate from the Administration. John Renaud (NPS) asked about the audience for the strategic plan; Mr. Nelson replied that while it has historically been a document for the Office of Management and Budget (OMB) responding to a federal requirement, it could be reimaged to meet that requirement while also speaking to a broader audience.

Climate Change

Vice Chairman Tannenbaum has established a climate change task force consisting of numerous ACHP members to assess the intersection of climate change and preservation of historic properties and the inextricable link between the two. The committee discussion is an opportunity for task force members to start thinking deeply about this issue to ensure a productive first meeting in mid-November. In the interim, the Office of Federal Agency Programs (OFAP) is available to assist with any federal agency's Section 106 priorities.

Chairman Vogt sees climate change as a two-pronged issue: (1) how climate change is affecting historic properties; and (2) how the federal government's response to climate change addresses challenges in preserving historic properties.

Updates

Ms. Loichinger provided an update on infrastructure legislation and noted that the Surface Transportation legislation was recently reauthorized for a short period following the passage of the continuing resolution. Colleen Vaughn (DOT) confirmed that the reauthorization is for 30 days. Ms. Loichinger also reminded the committee that in accordance with a directive from the members, the vice chairman conveyed a letter to Congress regarding infrastructure and historic preservation.

Ms. Loichinger then provided an update on wildfire and flood emergency responses, sharing that CEQ contacted the ACHP about convening stakeholders to get a better sense of anecdotal concerns regarding National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) reviews relating to such responses. CEQ will be sending a survey to those stakeholders to obtain details about issues encountered in emergency response; following the survey period, CEQ will be scheduling a meeting to discuss effective disaster response that will ground-truth any identified issues. That meeting will likely be in mid-November, and the ACHP will be prepared to provide an update during the December business meeting.

Chairman Vogt then asked Ms. Null to provide updates on a recent piece of legislation known as the Saving Money and Accelerating Repairs Through (SMART) Leasing Act. Ms. Null said she wanted to bring it to the committee's attention due to the work of the ACHP's Leveraging Working group. The Act

establishes a pilot program under the General Services Administration (GSA) for Enhanced Use Leases (EULs) of up to six leases per year over the next few years. An assessment will follow the pilot program. The Act raises the questions of how it relates to Section 111 and EUL authorities already in existence. As currently drafted, the Act does not mention historic properties. Ms. Null questioned whether it should and whether the ACHP should reach out to the relevant congressional committee to see if there is language the ACHP can offer to make the legislation dovetail with Section 111.

Vice Chairman Tannenbaum said this would be a good opportunity to promote Section 111. Beth Savage (GSA) said she has not been involved with this initiative but will follow up and let the committee know what she discovers. Ms. Savage noted that GSA is interested in the evaluation of other program alternatives. The agency has been considering pursuing a number of other compliance strategies to improve, not avoid, compliance with Section 106, but feels none of those strategies have been able to gain traction. It would be helpful to know what the barriers to some of the underutilized program alternatives are, and see if now is the time to break them down.

PRESERVATION INITIATIVES COMMITTEE CALL SUMMARY

Committee Chairman Rick Gonzalez called the meeting to order October 7 and welcomed the participants. He noted that he will not be available to lead the next Preservation Initiatives (PI) Committee meeting or participate in the business meeting in December, as he has been invited to give two talks at a UNESCO conference in Cordoba, Spain. He asked Committee Vice Chairman Ramona Bartos to lead the next committee meeting and to represent the PI Committee at the business meeting, and she agreed to do so.

Strategic Planning

Ms. Null updated the PI Committee on the next steps for revising the Strategic Plan, noting that the revised plan is due to OMB by February 7, 2022. The PI Committee deals mainly with items in parts three and four of the strategic plan. Committee members should review the current plan to see what adjustments may be needed. Vice Chairman Tannenbaum noted that the work of the new Climate Change Task Force, scheduled to begin meeting in November, should be added. Katherine Slick (ACHP Foundation) said the language should be more proactive to encourage taking positions vis-à-vis America250, the NHPA's 60th anniversary, and desired legislation. She shared the example of Sen. Martin Heinrich from New Mexico, who is championing changes to the 1862 Mining Act related to its impact on public lands. She encouraged thinking broadly about changes the ACHP would like to support over the next several years. Ms. Bartos noted the importance of amplifying efforts to foster traditional trades training and apprenticeships. Shaw Sprague (NTHP) noted that the Administration and now the House Natural Resource Committee are looking to significantly invest in the Civilian Climate Corps. It would seem preservation trades and education could fit.

Chairman Gonzalez asked if it was necessary to wait for the new ACHP chairman to be confirmed and on board before proceeding. Mr. Nelson recommended that the members and staff review and analyze the current plan by December, including removing anything that has already been accomplished. Once the new chairman is on board, she can respond to the proposed changes. The timing of her confirmation will determine what actions can or should be taken at the December PI Committee meeting and business meeting.

Legislation

Ms. Null reported that congressional outreach on pending legislation called for at the last ACHP business meeting had been completed, and she gave an update on the infrastructure and budget reconciliation bills, which have not yet been passed. Preservation-related provisions, such as permanent reauthorization of the Historic Preservation Fund, funding for digitization, and context-sensitive design requirements are not in

the infrastructure bill passed by the Senate, the Infrastructure Investment and Jobs Act. However, increased funding for the Transportation Alternatives program is included. Some NEPA streamlining provisions from the current FAST Act and recent One Federal Decision policy would be codified. Some tweaks to the Section 4(f) process—including reductions of agency response time and making lack of response be considered concurrence—are also included. The ACHP has not taken a position on these NEPA and Section 4(f) provisions.

The budget reconciliation bill introduced in the House, the Build Back Better Act, includes a number of positive provisions for preservation, but they may not be retained in a final bill. They include the following: NPS would receive \$75 million for historic preservation over 10 years; key provisions of the Historic Tax Credit Growth and Opportunity Act are included; Civilian Climate Corps projects would include cultural resource conservation projects; and the Save Oak Flat Act provisions, as well as limits on mining and leasing at Chaco Canyon and the Grand Canyon, are also included. The new target date for a vote on the bill in the House is October 31, and staff will be monitoring what may be cut as the top line funding figure is reduced. The status of the budget reconciliation process will determine any necessary December PI Committee discussion.

Ms. Null led the group through a discussion of two bills that the committee may wish to discuss further at the December meeting. The first, the SMART Leasing Act, would allow federal agencies to sublease underutilized real estate. It does not currently mention historic properties in any way. OFAP previously has been in touch with congressional staff working on the bill to alert them to the ACHP leveraging historic federal buildings report and issues regarding preservation, leasing, and Section 111. Ms. Savage (GSA) indicated that she is researching GSA's involvement in the bill's development to date and if the agency has taken any position on the bill. Mr. Nelson suggested that the bill may be a reaction to the likelihood that much more federal space will go unutilized as increased telework becomes the norm.

Chairman Gonzalez noted that the Congress for New Urbanism and the historic preservation community share goals, and the ACHP should explore a partnership around those shared interests. He mentioned Transportation Secretary Pete Buttigieg holds similar views. The committee consensus was that the members would like to receive more information on the SMART Leasing Act and discuss it further in December.

Another community revitalization bill is the Yes In My Backyard Act, which would require communities receiving Community Development Block Grants to report to the Department of Housing and Urban Development on their efforts to remove barriers to providing more affordable housing. Last year, initial versions of the bill called out historic preservation designation as one of those barriers. After being contacted by the nonprofit Up For Growth, the ACHP worked with NCSHPO and the National Trust to develop proposed language that was accepted by the drafters of the bill, and that changed how the bill addresses preservation. The bill has been reintroduced this year. Ms. Bartos said she would be glad to share with anyone a list of historic tax credit projects in North Carolina that have an affordable housing focus; many are former manufacturing facilities, schools, and hospitals. Mr. Sprague said there is lots of bipartisan support for the bill and congratulated the ACHP for showing great leadership in promoting revisions to the bill. The ACHP has not formally sent a letter of support on the bill to Congress, and the committee agreed it is time for the ACHP to discuss that at the December meeting.

America the Beautiful

Ms. Null reported that staff has contacted CEQ about the ACHP's interest in serving more actively on the America the Beautiful (30x30) Interagency Working Group. One formal meeting has taken place, and two committees will be working on measuring the properties to be preserved and engagement with stakeholders. Some PI Committee members currently are working on the initiative on behalf of their agencies. Chairman Gonzalez noted that Costa Rica did something similar in the 1970s. The PI

Committee agreed that discussion of ideas and considerations for the ACHP's involvement on the Interagency Working Group should be on the December meeting agenda.

Climate Change

The first meeting of the ACHP Climate Change Task Force will be November 19. A large number of ACHP members have volunteered to serve on this task force. In a related matter, the White House has publicly released the new climate action plans of the major departments and agencies. It is unclear whether the ACHP can go public with its plan yet. The ACHP Climate Action Plan will be shared with members as soon as permissible. Judy Rodenstein provided an update on the ACHP's review of SHPO climate change plans and guidance, which will be provided to the committee for discussion at the December meeting.

COMMUNICATIONS, EDUCATION, AND OUTREACH COMMITTEE CALL SUMMARY

Committee Chairman Luke Nichter called the meeting to order on October 13, 2021.

Webinars

Chairman Nichter reminded members that the ACHP offered a series of webinars during the summer to students and faculty at Historically Black Colleges and Universities (HBCUs) and Minority Serving Institutions (MSUs). Panelists discussed topics relating to preserving, restoring, and interpreting important sites in African American history through the power of place. The ACHP now wants to continue the webinars through the current school year and proposes a series that would encompass such subjects as climate change and historic preservation, civil rights, and careers in historic preservation.

Chairman Nichter asked members for ideas on topics and potential presenters. Susan Glimcher noted she sent out a survey to all the participants of this year's webinars and received good feedback on their thoughts and future directions. The ACHP also has an intern who will be working on planning and executing the next suite of webinars. Jonathan Gloria is a student at Florida Atlantic University and is working for the ACHP as part of the State Department's Virtual Student Federal Service internship program.

Vice Chairman Tannenbaum said the career topic is a really good one, and he suggested featuring careers in the federal government. Chairman Nichter agreed that students do not always know what options are out there once they receive an undergraduate degree in history. Ann Walker (Preserve America Youth Summit) said students are worried about jobs, and they want to hear from their peers, the people who have recently received their degrees and are working. The National Alliance of Preservation Commissions and the Certified Local Governments programs were suggested as good resources for students and webinar presenters.

Mr. Hein (NCSHPO) noted many agencies at the state and local levels are all having trouble finding staff. Historic preservation is not always a known field for students in a history track of study. He suggested working with the National Council for Preservation Education, as well. Caroline Henry (DOI) cautioned not to forget high school students in the outreach.

NHPA Anniversary

Chairman Nichter discussed the NHPA's 55th anniversary on October 15, 2021, and plans to celebrate that and the 60th anniversary. Lynne Richmond told members about the podcast with a distinguished panel of preservationists that will air on October 15 on the ACHP's YouTube channel. Chairman Nichter said there had been talk of trying to host an event at the Lyndon Johnson ranch or library in Texas to celebrate the 60th anniversary. Ms. Walker suggesting having events by region and have some benchmarks, for instance, something on the National Register from a certain area, or the 500th place

listed or a recent listing, that could be momentous and get students involved, too. Kristopher King suggested something similar to an event he was recently part of that was a “coast to coast toast” where everyone could be on Zoom celebrating at the same time.

Ms. Slick suggested weaving whatever the ACHP is planning to do in with what the America250 group is preparing. She does not want the ACHP’s plans to get lost in the America250 events. Vice Chairman Tannenbaum said he could take that thought to the America250 team, and he also suggested the ACHP could have a dinner or a big name speaker or give a youth award or bring back former ACHP chairmen for a big event. Mr. Nelson suggested working with the Secretary of the Interior on these plans and to involve indigenous peoples, as well.

Outreach and Awards

Shayla Shrieves gave an overview of the recent outreach to producers at C-SPAN for story ideas about the ACHP and Section 106 successes. The agency is looking for ways to partner with the network, since it is a natural fit for both of their audiences.

Patricia Knoll said there are two upcoming awards the ACHP will bestow in the next couple of months: the National Trust/ACHP award will be given at a virtual ceremony November 4 as part of the PastForward conference. The ACHP/HUD Secretary’s award will be given during the December 15 ACHP business meeting. Ms. Richmond mentioned the podcast for Hispanic Heritage Month featuring Chairman Nichter and Desiree Aranda from Latinos in Heritage Conservation is online. Ms. Glimcher encouraged members to follow the ACHP’s social media channels to keep up-to-date on activities.